IN THE HIGH COURT OF JUDICATURE AT BOMBAY

A & V.A. J.

ADM SUIT NO. 16 OF 2003

M/s. Technocraft Industries
(India) Ltd., .... Plaintiffs.

vs.

M/s. Le Gong V/05
& Ors. .. Defendants.

Mr. G. J. Desai for the plaintiffs.
Mr. D.C. Gomes for defendants.

**CORAM : S.U.KAMDAR, J.**

**DATE : 21st June,** 2005.

P.C.

. The parties to the present suit agree that the matter be referred to the Commissioner for recording evidence. Mr. Vernekar, Advocate is appointed as the Commissioner to record evidence ink the matter. Mr. Vernekar to commence recording of evidence on receipt of the copy of the present order. Mr. Vernekar is directed to complete the evidence on or before 13.8.2005. Matter to be on Board on 16.8.2005. It is made clear that if either of the parties do not cooperate in proceeding with

the evidence, the Commissioner is directed to close the evidence of that witness and proceed further to record the evidence. The parties are directed to file their affidavits of evidence before the Commissioner. It is made clear that if any objection is raised during the course of record of evidence the said shall be heard and decided at the time of arguments in the suit. Both the parties will share equally the cost, charges and expenses of the Commissioner.